

REMARKS

Status of the Claims

Claims 1, 9, 16, 17, 18 and 19 are pending in this application. No claims have been canceled or added. The claims have been amended to separately define R^2 and R^3 and to exclude the optional oxo group on the heterocyclic ring in R^3 . Formula II has also been amended to correct a misplaced double bond. No new matter has been added by the above claim amendments.

Rejections under 35 USC 112, second paragraph for Claim 19

The Examiner rejects claim 19 for not defining the variables for each process. Applicants amend claim 19 to define each variable within each process. As such, the rejection should be withdrawn.

Rejections under 35 USC 112, first paragraph

The Examiner does not find support for the definition of NR^2R^3 when X and Y form a double bond where R^2 and R^3 are C_{1-4} alkoxy. Applicants amend the claims to delete C_{1-4} alkoxy for the definition of R^2 and R^3 when X and Y form together a double bond. As such, the rejection should be withdrawn.

The Examiner also rejects the claims for no support for the optional oxo group in the definition of R^1 . Applicants amend the

claims to delete the optional oxo group on the heterocyclic ring. As such, the rejection should be withdrawn.

Applicants further submit that formula I of claim 1 with the recited substituents is Applicants invention. The entire invention is supported in and described in the specification. As such, Applicants have met the Written Description Guidelines at MPEP 2163. Accordingly, this rejection should be withdrawn.

Conclusion

As Applicants have addressed and overcome all rejections in the Office Action, Applicants respectfully request that the rejections be withdrawn and that the claims be allowed.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Kecia Reynolds (Reg. No. 47,021) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Appl. No. 09/485,441

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Marc S. Weiner (1,100 40,069)
Marc S. Weiner

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

MSW/KJR/bsh